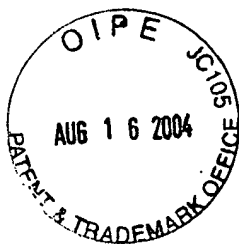
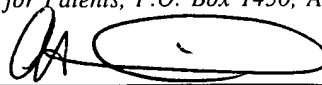


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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 Alex Martinez

Applicant : Kiyoshi Miyazaki, et al.  
 Application No. : 10/812,864  
 Filed : March 29, 2004  
 Title : PETUNIA PLANT NAMED 'SUNBABUVE'  
 Grp./Div. : 1661  
 Examiner : N/A  
 Docket No. : 52227/DBP/A400

INFORMATION DISCLOSURE STATEMENT  
 37 CFR § 1.97(b)

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Post Office Box 7068  
 Pasadena, CA 91109-7068  
 August 12, 2004


Commissioner:

In compliance with the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, and in accordance with the provisions in the Manual of Patent Examining Procedure §§ 609 and 707.05(b), enclosed is FORM PTO/SB/08A/B listing the references that are known to applicant. Copies of each of the listed references are enclosed. This filing is timely because it is made during one of the periods described in 37 CFR § 1.97(b).

It is respectfully requested that the listed references be considered in the examination of this application and identified on the list of references cited on the patent issuing for this application. Applicant also requests that an initialed copy of FORM PTO/SB/08A/B be entered in the application file and returned to applicant with the next communication from the Office in accordance with MPEP § 609.

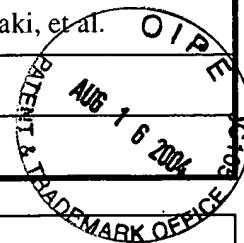
Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
 D. Bruce Prout  
 Reg. No. 20,958  
 626/795-9900

DBP/aam  
 Enclosures: PTO/SB/08A/B, w/references  
 AAM PAS579354.1-\*08/12/04 1:53 PM

<b>FORM PTO/SB/08A/B (10-01)</b> Substitute for PTO-1449A/B  <b>INFORMATION DISCLOSURE</b>  <b>STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	<b>Attorney Docket Number</b>	<b>52227/DBP/A400</b>
	<b>Application Number</b>	10/812,864
	<b>Filing Date</b>	March 29, 2004
	<b>Applicant(s)</b>	Kiyoshi Miyazaki, et al.
	<b>Group Art Unit</b>	1661
	<b>Examiner Name</b>	N/A



U.S. PATENT DOCUMENTS				
EXAMINER INITIALS	Cite No. <sup>1</sup>	DOCUMENT NUMBER Number - Kind Code <sup>2</sup> (If Known)	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE

FOREIGN PATENT DOCUMENTS					
EXAMINER INITIALS	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (If Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup> (✓)
		JP PBR Reg. No. 4011	03-23-1994	Tachibana, et al.	Database of Registered Variety and Corresponding US 9322Previously cited
		JP PBR Reg. No. 8036	03-30-2000	Sakazaki	Database of Registered Variety

OTHER DOCUMENTS		
EXAMINER INITIALS	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
		Explanation of Publications of Japanese PBR Registration
		Suntory Flowers Ltd., "FLOWER & GREEN, the newest catalog 2004" Published 2003, (Explanation for IDS Document)
		Jackson & Perkins wholesale, Inc., USA, "THE 2004 SUNTORY COLLECTION" Published 2003, (Explanation for IDS Document)
		Pineae Greenhouses, Inc., USA, "Pineae Peak Performers featuring the 2004 Suntory COLLECTION" Published 2003, (Explanation for IDS Document)
		Moerheim New Plant bv., NL, "Suntory Collection 2004" Published 2003, (Explanation for IDS Document)
		Ramm Botanicals Pty Ltd., AU, "Colour Wave Collection 2003-4 ...beautiful flowering plants" Published 2002, (Explanation for IDS Document)

AAM PAS579355.1-\*08/12/04 2:52 PM

EXAMINER SIGNATURE	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at www.pto.gov or MPEP 901.4. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.	

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